

Appl. No. 10/786,506
 Amdt. dated May 4, 2006
 Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE
REMARKS

Claims 1 to 31 were pending in the application at the time of examination. Claims 1 to 31 remain rejected as anticipated.

Claims 1 to 31 remain rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent Application Publication No. 2005/0138354 of Saltz, hereinafter referred to as Saltz.

Applicant respectfully continues to traverse the anticipation rejection of Claim 1. Applicant respectfully notes that elements in Saltz must be given a consistent definition and that Saltz must be considered as a whole. Saltz is careful to distinguish between applets, which the rejection identified as reading on "application" in Claim 1, and firewalls. Accordingly, as explained more completely below, the two cannot be interchanged.

Saltz stated:

[0050] As will be appreciated, the Java Card Runtime Environment™ (JCRE 208) can provide a firewall protection for the Java™ applets A, B, C, D, E, F and G. Moreover, the firewall protection provided by the Runtime Environment (JCRE 208) is configurable. This means that, among other things, the firewall protection does not have to be defined based on package boundaries that contain one or more Java™ applet. In other words, firewall protection does not have to be defined based on the packages 230, 232, and 324. The firewall protection can be configured using a firewall control block that is further illustrated (see for example FIG. 3), but first the configurable firewall will be further illustrated with respect to firewall boundaries that can be configured for various Java™ applets.

Thus, Saltz explicitly taught that the JCRE provides the firewall protection and that firewall protection is configurable. However, this teaches nothing about the applications of Saltz. The JCRE and applications are at fundamentally different programmatic levels. The rejection has cited no teaching in Saltz that Applets A, B, C, D, E, F, G and H are configurable or can be customized.

GUNNISON, MCKAY &
 HODGSON, LLP
 San Francisco Office U.S.P.T.O.
 1500 Clayton Road, Suite 120
 Mountain View, CA 94031
 (831) 655-0888
 Fax: (831) 655-0888

Appl. No. 10/786,506
Amdt. dated May 4, 2006
Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE

Claim 1 recites:

configuring the application in accordance with the stored AID, wherein the application is configured in accordance with said at least one customization parameter

A configurable firewall that is part of the JCRE fails to teach configuring the applets of Saltz that the rejection identified as the applications. The fact that the firewall in the JCRE is configured does not change the application, it is the same application that it was before the firewall was configured. Therefore, Saltz fails to show "The identical invention . . . in as complete detail as is contained in the . . . claim." MPEP §2131, 8th. Ed., Rev. 3, p. 2100-76 (August 2005). This alone is sufficient to overcome the anticipation rejection.

Saltz does address that an AID is associated with the applet, but again Saltz fails to teach "said AID comprises at least one customization parameter for the application to be installed." The rejection cited the applets as being the application installed. Therefore, Saltz must teach that the AID for these applets includes a customization parameter. Saltz taught:

[0063] As will be appreciated, similar to existing Java Card environments, the Application Identifier Data (AID) can be defined based on the ISO 7816 standard. ISO 7816 is a multipart standard that describes a broad range of technology for building smart card systems. ISO 7816-5 defines the AID (application identifier) data format to be used for unique identification of card applications (and certain kinds of files in card file systems). The Java Card platform uses the AID data format to identify applets and packages. AIDs are administered by the International Standards Organization (ISO), so they can be used as unique identifiers.

[0064] As illustrated in FIG. 3E, the AID format used by the Java Card platform can be an array of bytes that is interpreted as two distinct pieces. The first piece is a 5-byte value known as RID (Resource Identifier). The second piece is a variable length value known as a PIX (Proprietary Identifier Extension). A PIX can be

GUNNISON, MCKAY &
HODGSON, LLP.
Gunnison, McKay, Hodgson, PLLC
1900 Century Avenue, Suite 220
Mountain View, CA 94039
(650) 655-1000
FAX (650) 655-1008

Appl. No. 10/786,506
 Amdt. dated May 4, 2006
 Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE

from 0 to 11 bytes in length. Thus an AID can be from 5 to 16 bytes in total length. ISO controls the assignment of RIDs to companies, with each company obtaining its own unique RID from the ISO. Companies manage assignment of PIXs for AIDs using their own RIDs. In the Java platform, packages are uniquely identified using unicode strings and a naming scheme based on Internet domain names. In the Java Card platform, packages and applets can be identified using AIDs. As such, each applet installed on a Java Card technology enabled device has a unique AID. This AID is constructed similarly to a package AID. It is typically a concatenation of the applet provider's RID and PIX for that applet. (Emphasis Added.)

Thus, at most Saltz taught that the AID has two parts as defined by the standard and that the AID is used for identifying an applet. This fails to teach or suggest anything about the AID including "at least one customization parameter for the application to be installed."

Saltz, as quoted above, taught that the AID is used to identify the applet and so expressly taught away from using the AID in customizing the applet as recited in Claim 1. Further, Saltz taught that the JCRE firewalls and not the applet used the AID in determining whether the firewall will permit an applet to access another applet. The rejection has cited no teaching that the applets are modified in anyway based upon the AID. Again, as previously pointed out, the rejection confuses configuration of the firewall with configuration of an application as recited in Claim 1. A broad interpretation of the claim language does not permit contradicting the explicit teachings of the reference.

Claim 1 is specific on the actions taken:

providing an application identifier (AID) for the application, wherein said AID comprises at least one customization parameter for the application to be installed;

The AID is "for the application to be installed." Accordingly, the rejection must cite a teaching that an AID for one of the applets A to H has an AID with a customizable parameter. The rejection has failed to make such a showing.

Appl. No. 10/786,506
 Amdt. dated May 4, 2006
 Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE

As quoted above Saltz taught the AID is defined in a conventional matter and failed to teach anything about customizing a particular parameter in any AID of Saltz.

The rejection must show that Saltz teaches that for one of applets A to H

configuring the application in accordance with the stored AID, wherein the application is configured in accordance with said at least one customization parameter.

The rejection must cite a teaching that one of Applets A to H is configured in accordance with some customizable parameter in the AID of Saltz. Such a showing has not been made.

As noted above, Saltz expressly taught the firewall that is a part of the JCRC was configured and not the application that was configured. The rejection has cited no teaching of configuring an applet in Saltz and instead cited to the configuration of the firewall, which Saltz and the rejection identified as being different from the applet that was identified as the application in the rejection. Further the AID is used for identification (See Fig. 5 of Saltz) and not for configuring the application as recited in Claim 1.

Applicant respectfully notes that one of skill in the art would not consider the firewall of the JCRC to be part of the applet and Saltz is careful to maintain the distinction. Accordingly, there is no basis for mixing and matching the features from the two different entities of Saltz as was done in the rejection. Such a modification of Saltz would be inappropriate for an obviousness rejection and so cannot be the basis for an anticipation rejection.

Again, Applicant respectfully notes that in an anticipation rejection, it is not sufficient that a reference use some of the same terms as recited in Applicant's claims, but rather the "The identical invention must be shown in as complete detail as is contained in the ... claim." MPEP §2131, 8th. Ed., Rev. 3, p. 2100-76 (August 2005). Applicant has demonstrated that at multiple

GUNNISON, MCKAY &
 HODGSON, LLP.
 Garden Way Office Plaza
 1900 Garden Road, Suite 220
 Menlo Park, CA 94025
 (650) 565-0100
 Fax (650) 565-0101

Appl. No. 10/786,506
Amdt. dated May 4, 2006
Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE

levels Saltz fails to teach the identical invention in as complete detail as contained in Claim 1. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 1.

With respect to Claim 2, the rejection identifies applets A to H as the applications. The rejection failed to cite any teaching that any of applets A to H was "an AID interpreter." With respect to Claim 3, the rejection has cited no teaching in Saltz of how an AID is stored and instead cites generally to Fig. 2 of Saltz. The rejection failed to cite any teaching of an applet storing anything on the smart card. With respect to Claim 10, the rejection has failed to cite any teaching of cryptographic operations in the Abstract of Saltz that are related to the AID of Saltz.

In addition, each of Claims 2 to 11 depend from Claim 1 and so distinguish over Saltz for at least the same reasons as Claim 1. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 2 to 11.

Claim 12 is an apparatus claim that includes "wherein the application is configured in accordance with said at least one customization parameter from the stored AID." Further, the rejection failed to cite any teaching of an apparatus for installing an application on a card. Paragraph [0047] describes the card and not how the information got onto the card. Element 204 of Fig. 2 is a reader side device and so teaches away from an installation apparatus. The above comments concerning the AID and the configuration of the application are incorporated herein by reference. As noted above, the rejection did not address these limitations. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 12.

Claims 13 to 19 depend from Claim 12 and so distinguish over Saltz for at least the same reasons as Claim 12. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 13 to 19.

Appl. No. 10/786,506
 Amdt. dated May 4, 2006
 Reply to Final Office Action of March 9, 2006

AFTER FINAL EXPEDITED PROCEDURE

Claim 20 is an apparatus claim that includes limitations similar to those discussed above with respect to Claim 1. Accordingly, the above comments with respect to Claims 1 are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 20.

Claim 21 is a computer product claim that includes limitations similar to those discussed above with respect to Claim 1. Accordingly, the above comments with respect to Claims 1 are incorporated herein by reference. Applicant requests reconsideration and withdrawal of the anticipation rejection of Claim 21.

Claims 22 to 31 depend from Claim 21 and so distinguish over Saltz for at least the same reasons as Claim 21. Applicant respectfully requests reconsideration and withdrawal of the anticipation rejection of each of Claims 22 to 31.

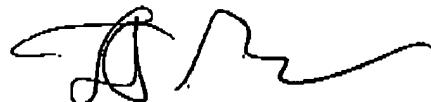
Claims 1 to 31 remain in the application. For the foregoing reasons, Applicant(s) respectfully request allowance of all pending claims. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

CERTIFICATE OF TRANSMISSION
 I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (571) 271-8300, on May 4, 2006.

Rivkah Young
 Rivkah Young

May 4, 2006
 Date of Signature

Respectfully submitted,



Forrest Gunnison
 Attorney for Applicant(s)
 Reg. No. 32,899

GUNNISON, MCKAY &
 HODGSON, LLP.
 Estate West Office P.O. 22
 1900 Lincoln Street, Suite 2200
 Monterey, CA 93940
 (831) 655-0888
 Fax (831) 655-4888